

## Battle Creek Historic District Commission

### Staff Report

Meeting: January 12, 2015

**To:** Historic District Commission

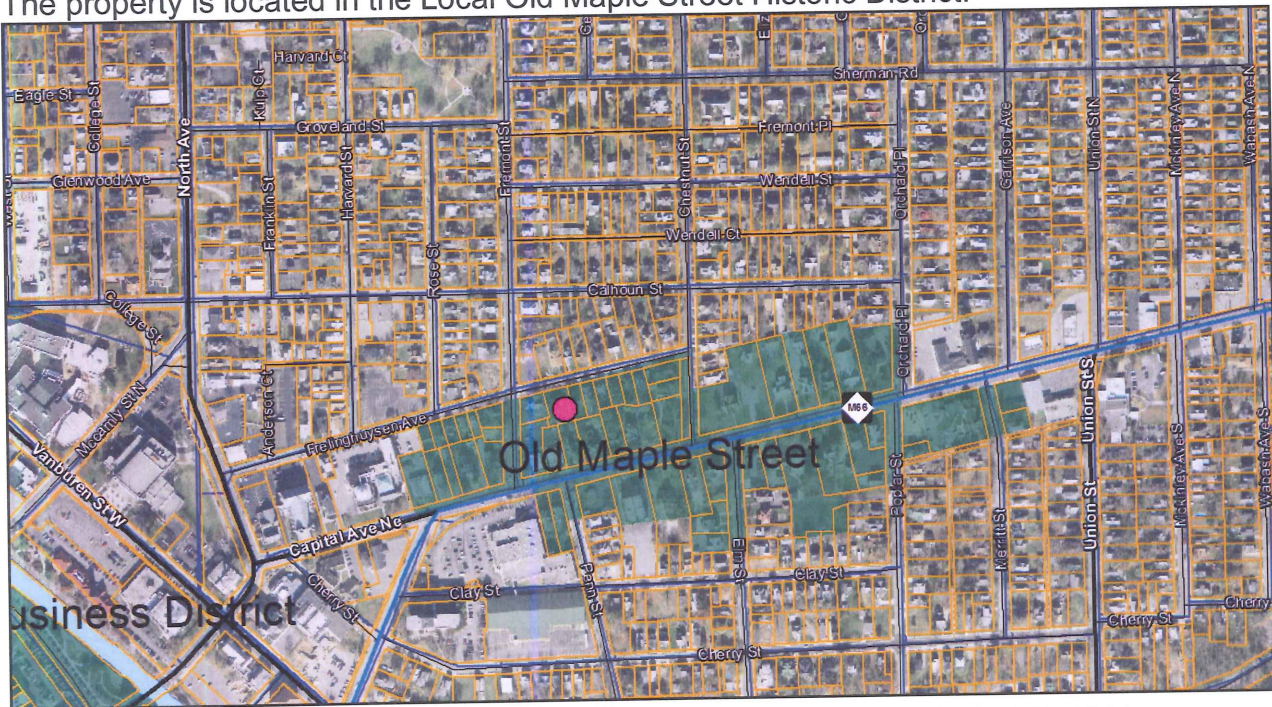
**From:** Glenn Perian, Senior Planner

**Date:** January 5, 2015

**Subject:** The petition filed by Helping the Community (Joseph Rocha) for the issuance of a Determination of Appropriateness to install 4 windows to replace four French doors at 112 Frelinghuysen that will comply with zoning and historic district commission requirements.

#### Site:

The property is located in the Local Old Maple Street Historic District.



#### Summary of Request

The proposed project includes the removal of four French doors (two on the first story and two on the second story) and replacing the openings with 4 replacement windows to match the existing windows on the home. The request is for the issuance of a Certificate of Appropriateness at property located at 112 Frelinghuysen. The Applicant has provided a photo of what the home looks like with the current French doors and what the current windows look like on the building. Work has already been started to remove portions of the



balcony and Mr. Rocha is expected to be at the meeting to answer any questions you may have related to the project.

### **Public Notice Requirements:**

Public notice has occurred as outlined under MCL Section 399.205 Section 5 (6)...*"the business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 of 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.*

### **Applicable HDC Guidelines and Analysis for a Certificate of Appropriateness**

This property is reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan's Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Specifically, the Commission shall follow Section 1470.09, as:

**(b) The Commission shall also consider all of the following:**

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.**
- (2) The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.**
- (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.**
- (4) Other factors, such as aesthetic value that the Commission finds relevant.**

- (c) The Historic District Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements...**

And

#### **1470.17 PRESERVATION OF HISTORIC FEATURES.**

- (a) Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.** This proposed project includes the removal of 4 French doors and replacing the openings with matching windows and siding. Staff believes that the proposed project will alter unique features of the building (upper and lower French doors and

balconies). It is our understanding that the use of the building is to remain residential.

- (b) ***The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.*** Staff believes this project will involve the destruction of distinguishing/distinctive features of the building and the repair or replacement of the French doors and balconies should be considered by the HDC as an option for this project.
- (c) ***All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.*** No materials or site work is being proposed that will create an earlier appearance for this project.
- (d) ***Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*** Staff does not think that this requirement applies to this project.
- (e) ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.*** Staff does not believe this requirement is being met with the proposal in that the project involves the removal of the upper and lower French doors and balconies.
- (f) ***Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.*** This element is being ignored with the work being proposed. We believe the French doors and balconies should be repaired or replaced to preserve the unique features of this building.
- (g) ***The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.*** This element does not apply to this project.



- (h) ***Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.*** Staff does not think this applies to this project.
- (i) ***Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*** Staff does not believe that the proposed work will meet this requirement for the project.
- (j) ***Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would not be unimpaired.*** Staff believes that if the French doors are removed and replaced with windows, the essential form of the building will be lost.
- (Ord. 14-97. Passed 8-5-97.)**

**Recommendation:**

The work proposed is for the purposes of repairing deteriorated portions of the home at 112 Frelinghuysen. While staff appreciates the efforts to repair and maintain the building, we do not believe the proposed work complies with standards outlined in Chapter 1470 and should not be approved. As contained herein, staff believes the doors and balconies should be repaired or replaced and the proposed work is in conflict with Chapter 1470 "Historic Preservation", the Michigan Local Historic Districts Act and the Secretary of the Interior's Standards and Guidelines.

Therefore, planning staff recommends denial of a certificate of appropriateness for the proposed work outlined in the plan submitted to install replacement windows at 112 Frelinghuysen and recommends repair or replacement for the French doors and balconies in accordance with the standards outlined in Chapter 1470.09 "Review of Applications", Chapter 1470.17 "Preservation of Historic Features" and the Secretary of the Interior's Standards and Guidelines.

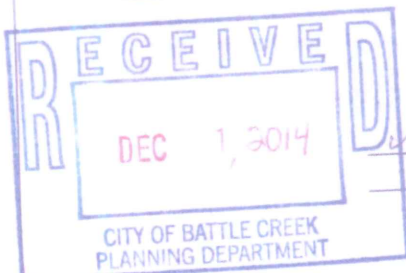


1940 Image from the Willard Library Collection showing the front of 112 Frelinghuysen



# City of Battle Creek

Department of Planning and Community Development  
77 E. Michigan Avenue, Ste. 204 • Battle Creek, Michigan 49017 • (269) 966-3320  
[www.battlecreekmi.gov](http://www.battlecreekmi.gov)



HISTORIC DISTRICT COMMISSION  
Application for (check all that applies)  
☒ Certificate of Appropriateness (for repairs or rehab projects)  
☐ Notice to Proceed (for demolition requests)

Petition No. H-01-15

Date Received: 12/1/14

**APPLICANT\*\***

NAME: Helping the Community (Joseph Rocha)  
ADDRESS: 112 Frelinghuysen  
PHONE: 269 382 9116 FAX: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**OWNER (if different from applicant)**

NAME: Helping the Community  
ADDRESS: 265 Capital NE Battle Creek, MI 49017  
PHONE: 269 382 9116 FAX: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

\*\*If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.

**SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS**

Address(es) of property for which the request is being sought: 112 Frelinghuysen

Current use of the property: \_\_\_\_\_

List existing structures on the property and the approximate age of each. Exterior

French doors (4) when home was built  
(4) New windows w/ siding below window  
will replace the old doors

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.

French Doors will be removed and  
new windows installed













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